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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

[Untimely Protest of Air Force Contract Award]

FILE: B-201529

DATE: February 2, 1981

MATTER OF: Morris Moving and Storage

DIGEST:

Protest filed with GAO more than 10 working days after protester receives notification of initial adverse action on protest filed with contracting agency is untimely and will not be considered on merits.

Morris Moving and Storage (Morris) protests the award of a contract to Albert Moving and Storage (Albert) under solicitation No. F41612-80-B-0054, issued by Shepard Air Force Base, Texas (Air Force).

The Air Force advised us on January 13, 1981, that Morris initially protested the award to the Air Force by letter dated October 22, 1980. By letter dated November 3, 1980, received by Morris on November 5, 1980, the Air Force denied the protest.

Our Bid Protest Procedures, 4 C.F.R. § 20.2(a) (1980), state that if a protest has been filed initially with the contracting agency, any subsequent protest to our Office must be filed within 10 working days of notification of adverse agency action to be considered timely. The protest was not filed with our Office until December 15, 1980, and is consequently untimely. Federal Properties of R.I., Inc., B-200197, October 8, 1980, 80-2 CPD 259.

Accordingly, the protest is dismissed and will not be considered on the merits.

Milton J. Socolar

Milton J. Socolar
General Counsel

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